

Oklahoma's Post Adjudication Review Boards

PARB

Protect, Support, Monitor











Purpose of Training

- Define best practices of PARB
- When to use what form



Future for PARB

- More consistent review process
- More specific and thorough recommendations
- Looking beyond the case review
- Supporting DHS, foster parents and Judges in new ways
- Continue to mentor the next generation
- PARB Database and categorizing recommendations
- Better partnership with Tribes. Tribal PARB?
- More specialized PARB's

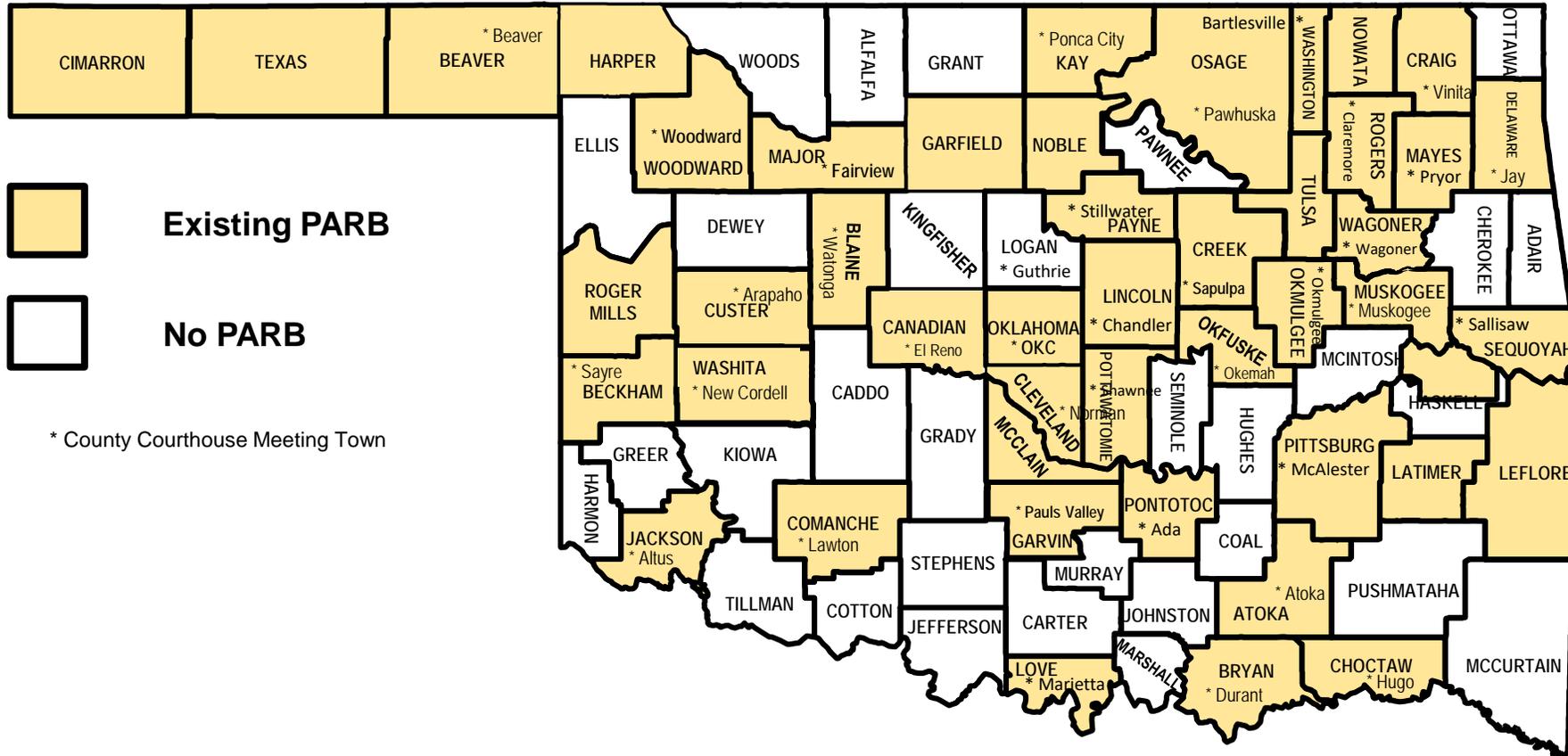




Oklahoma Commission on Children and Youth

Oklahoma Post Adjudication Review Boards

Active Board / 4-3-20



What gives you (PARB) power and influence?

Given Authority-Through Title

Knowledge and expertise

Relationships



Given Authority-Through Title or Sanction

CEO has more authority than a mail clerk in the same company even if they have the some knowledge and relationships

Sanctioned authority can be granted by the Government

Does PARB have Sanctioned Authority?



PARBs Legislative Authority

- May review juvenile court records and Department of Human Services agency records pertaining to a child.
- PARB Boards may conduct interviews or invite to PARB meetings anyone associated with a case they are reviewing. DHS, law enforcement, tribal representatives, CASA, District Attorneys, child's attorney, parents attorney, foster parents.
- Serve in an advisory capacity to the judge



Board Authority Beyond Case Reviews

- Promote and encourage all child placement agencies to maximize family stability and continuity for a child by discouraging unnecessary changes
- Review the efforts of agencies and institutions to find permanent placement for eligible children and report to the court
- Encourage a meeting between the various responsible public and private agencies
- Assess community resources



Knowledge and expertise (SME)

You are having guests over for dinner at your house. A Plumber, Doctor and a professional photographer

Who is the most power if.....

House is has burst pipes

You are having a heart attack

Your daughter is getting married in a month and you don't have a photographer



PARB Influence through knowledge

Be the go to SME Subject Matter Expert

Know the judicial process

Know best practices in child welfare

Understand foster care

Understand Juvenile law



Relationships are Everything: The beginning, Middle and End

Which is better? A good, bad or no relationship with your Judge?

DHS staff? Supervisors?

Do relationships help you get things done? Find resources? Have influence?



How do you improve relationships?

Do relationships just happen?

Take someone to lunch

Spend time together

Help them

Get their back, be loyal

Invite to a meeting



Lets increase our power and influence

Given Authority-Through Title: We have that

Knowledge and expertise: Lets increase our knowledge

Relationships: Let's improve our existing relationships and make new friends



PARB 201

- A. Getting the Case Review list right
- B. Gathering information on the case for a good review
- C. A word on time management
- D. What are we looking for and why?
- E. Writing the recommendation



Getting the Case Review list right



What Cases are you going to review?

- Who prepares your PARB case review list?
 - DHS? Who at DHS? Based on what?
 - Bailiff?
 - Court Clerk?
 - Your chair?



What are you supposed to review by statute?

1. PARB must review the case of every adjudicated deprived child at least every six months.
2. Review the case of every child alleged to be deprived and held in an out-of-home placement six (6) months after removal and every six (6) months thereafter until adjudication occurs or the child is released from out-of-home placement.
3. Review the case of every child adjudicated deprived pursuant to the laws of another state or territory, when the child is currently residing in Oklahoma and the Department of Human Services has been notified of the change of residence by the other state or territory and has agreed to provide services to the child pursuant to the Interstate Compact on the Placement of Children (ICPC) or other agreement concerning the child.



What are the statutory requirements?

4. Reviews of cases and reports to the court shall be scheduled to ensure that the court receives the findings and recommendations of the review board prior to each regularly scheduled six-month review of the case by the court;

5. If approved by the court, review the case of any juvenile adjudicated delinquent or in need of supervision.



Who else has review requirements and keeps a case list?

The Court and DHS

Who keeps track of it for the Court?

Bailiff or Court Clerk?

Who keeps track of it for DHS?



Some of the Court requirements by statute

Permanency hearing must take place no later than 6 months after the child has been placed in out of home placement

Permanency hearing must be conducted every 6 months until closure of the case



Ideal case list development process

1. PARB chair or secretary keeps a spreadsheet of all cases reviewed and when they were reviewed.
2. Bailiff sends the docket case list for the following month or next deprived Court date to the PARB Chair or secretary. IE, PARB Board meets on the Wednesday before the 3rd Friday of the month. The Deprived docket is held on the 3rd Friday of the month. This docket is reviewed at the PARB Meeting the Wednesday before.



How are you going to track this?

Update:	10/19/2008																
				Mtg 1	Mtg 2	Mtg 3	Mtg 4	Mtg 5	Mtg 6	Mtg 7	Mtg 8	Mtg 9	Mtg 10	Mtg 11	Mtg 12	2009	
		Date	1/18/2008	2/18/2008	3/18/2008	4/18/2008	5/18/2008	6/18/2008	7/18/2008	8/18/2008	9/18/2008	10/18/2008	11/18/2008	12/18/2008			
Case #	JD	Case name	# of kids														Comments:
101-40		Sampson	1	X				X									
201-72		Sands	1			X						X					March
302-27		Stevens	2			X				X							Feb
404-102		Calvert	1	X				X									
504-29		Peace	2	X				X				X					March
604-54		Bundy	1	X				X				X					March
704-99		Owens	1		X				X								Jan
805-02		Martin	4		X				X								Jan 5th child aged out in June
2006-68		Cotton	1			X						X					March
2106-74		Johnson	3			X						X					March
2206-92		Porter	2				X						X				April
2306-101		Marks	3	X					X								Jan Inpatient hospital
2406-115		Wells	1	X					X								Jan
2506-120		Smith	2	X					X								Jan
2607-04		Jordan	2					X									
2707-10		Westin	6					X									
2807-11		Troy	1	X			X		X				X				April Termination scheduled in Dec.
2907-15		Simmons	1		X				X								Jan
3007-16		Martin	1				X					X					March
3107-19		Cotton	2				X						X				April
3207-20		Johnson	1		X					X							Feb



Ideal case list development process

3. PARB Chair or Secretary looks over the docket list and edits the list.

Are there cases that are just focused on paternity and don't need to be reviewed? Is it a 30 or 90 day review and your PARB Board already has a high case list to review and needs to prioritize? Is it a brand new case and they have not been out of the home for 6 months or adjudicated? Are there any cases that need to be added because they came up on the 6 month review but are not on the docket?

4. Compare your list to the DHS Custody list. Did the Court miss any cases?

5. Finalize your case list and send to DHS for reports and preparation and send to the Court Clerk for Case File pulling. No need to post case list on the posted agenda.



Gathering Information on the Case for a good review



Gathering Information

Who are you allowed to hear from?

A review board may solicit the attendance at its meetings of persons known to the board with information concerning the case of any child subject to its review.

Who do you normally hear from?

DHS, CASA, other PARB Members

How do you hear from them? At the meeting? Do you go to their office? Phone calls?

Who else can you talk to?

Foster parents, attorneys, ADA, Judge, who else?



Written Reports-how do you get them

- DHS PARB Reporting Form Version 1, 2 or 3
- DHS Court Report-Already created

- Foster Parent questionnaire
 - DHS Will likely have to send these out and collect them

- CASA Report
 - In the File

Other written reports?



A word on time management

Can you do a good review and make good recommendations on 45 new cases in two or three hours?

So what are your options?

1. Limit the number of cases reviewed
 - A. 6 month review
2. Do some pre-work or work between meetings
 - A. Read the case file ahead of time
3. Create more PARB Boards
4. Change the format of the meetings



What are we looking for and why?



The Case Review: What do our Statutes say?

1. The appropriateness of the goals and objectives of the treatment and service plan.
2. The appropriateness of the goals and objectives of the permanency plan and permanency planning.
3. The appropriateness of the services provided to the child, and to the parent, stepparent, or other adult living in the home of the child, or legal guardian, or custodian.
4. Such review shall include, but not be limited to, consideration and evaluation of: a. whether the continued out-of-home placement is in the best interests of the child in light of the child's need for permanency and recognizing that permanency is in the best interests of the child.



The Case Review: What do our Statutes say?

5. The appropriateness of the continued out-of-home placement, and in the absence of a court-ordered treatment and service plan, the appropriateness of the services provided to the child and any family members or other adult living in the home of the child.
6. Promote and encourage all child placement agencies to maximize family stability and continuity for a child by discouraging unnecessary changes in placement and by recruiting persons to provide placement who may be suitable and willing to adopt.
7. Review the efforts of agencies and institutions to find permanent placement for eligible children and report to the court.



Goals of the Recommendations

1. Shorten the time to permanence through providing new resources and observations for the Court to consider
2. Highlight timeline issues for the Court to review
3. Identify and bring resources to the table the Court may have not known about
4. Provide insight into the case that the Court may not know about.



Goals of the Recommendations

5. Validate the efforts of DHS

6. Validate the efforts of the Court

7. Hold DHS accountable for their decisions and efforts in deprived cases

8. Hold the Court accountable for their decisions and efforts in deprived cases

9. Other goals?



Timeline Issues

1. Permanency hearing must take place no later than 6 months after the child has been placed in out of home placement
2. Permanency hearing must be conducted every 6 months until closure of the case
3. Once the first kid is reunified with parents, physical custody, DHS is required to follow the case for 6 months
4. Mandatory termination of parental rights if the child is placed out of the home 15 of the last 22 months. Unless there is a compelling reason. Look for the reason.
5. Mandatory termination no later than 60 days after a child has been determined to be an abandoned infant.
6. Mandatory termination no later than 90 days after the court has ordered an ISP and the parent has made no measurable Progress.



Timeline Issues

7. Mandatory termination no later than 60 days after the court has determined that reasonable efforts to reunite are not required due to a felony conviction of a parent or (See long list)
8. A finding that a child four (4) years of age or older at the time of placement has been placed in foster care by the Department of Human Services for fifteen (15) of the most recent twenty-two (22) months preceding the filing of the petition or motion for termination of parental rights and the child cannot, at the time of the filing of the petition or motion, be safely returned to the home of the parent.



General Advice for Reviews

1. Look at the Deprived Petition submitted by the DA to understand the conditions that led to removal from the home.
2. Look at the ISP. Is it doable? Does it address the deprived conditions?
3. Does the ISP also state what the kids need or should be doing?
4. Look at the visitation plan. Is it frequent, with siblings, with other caring adults in the kids life, FaceTime, phone calls and regular contact. Visitation for younger kids should be all the time.



General Advice for Reviews

5. Kinship placement. Is every effort being made to put that kid with someone they know and love and that loves them?
6. Look and see if it is an ICWA Case
7. Is disposition (placement) looked at every time.
8. Incarceration of a parent is not in and of itself sufficient to deprive a parent of parental rights
9. Transition age youth. Has lots of implications



What do I want to know???

Things that make you go
hmmm

START WITH QUESTIONS

FORMULATE CONCERNS



What do I want to know?

START WITH QUESTIONS

Case Review:

Has the court reviewed the case within six months? If not, this needs to be brought to the court's attention ASAP.

Has ICWA been addressed?

Has paternity been established? Is it documented?

Is placement indicated? Is it in compliance with statutes?

When appropriate, are compelling reasons documented?



What do I want to know?

Visitation:

Is a visitation plan for each parent filed?

How often has visitation occurred between the child and parent(s)?

Is this sufficient for a child this age?

Is the setting for these visits appropriate considering the charges in the petition as well as the cooperation exercised by the parents?

Timeframes:

Are timeframes realistic?

Are they being adhered to?

Are the services noted on the plan available in the community?

If not, how will OKDHS provide them?

Is the agency assisting with transportation to obtain these services?



What do I want to know?

TREATMENT PLAN

Services Ordered:

Do the services ordered really address the problems as stated in the petition?

Are additional services needed?

FOSTER PARENTS

Are FP'S satisfied with the services offered to the child?

Has their input been considered by the court, agency and your review board?



What do I want to know?

TERMINATION OF PARENTAL RIGHTS

Has child been out of the home for the last 15 out of 22 months? If yes, Is the child being properly cared for by a relative?

Has DHS documented a compelling reason for determining that filing a petition to terminate parental rights would not serve the best interests of the child?

Has the State provided the family such services as the State deems necessary for the safe return of the child to the child's home (reasonable efforts)?

Has the State made "active efforts" to prevent the break-up of the Indian family (ICWA case) and have those efforts proved unsuccessful?



What do I want to know?

PLACEMENT AND PERMANENCY PLANNING

Placement:

Is the child safe in the current placement?

Has placement changed since the last board review? If yes, why?

Are siblings placed together? If not, why?

Do the children receive regular visitation with one another if placed separately?

If the children are adopted by different families, can a plan be designed so they will still have contact with one another? If not, why?



What do I want to know?

PERMANENCY PLANNING

Can we expect this family to be reunited within six months? If not, why and when?

Will the child be at risk if returned to the home at this point? If yes, why?

What obstacles prevent the child from returning home?

If reunification is not likely or required, what alternate plan has been devised?

If the child has been placed with a relative or kinship and unlikely to return to the parent's home, what efforts have been made to achieve permanency in this placement by adoption or guardianship?



Beyond this case

COMMUNITY

Is there a lack of particular services available?

Is there case specific communication between agencies?

Are there overarching areas of concern in the court process?

EX: are terminations not occurring? Why?



Writing the Recommendation

Little things matter! Big issues are often addressed (placement, permanency, etc.) at the court hearing. EX: IEP

It is important to know the background of the case but it is NOT PARB's role to re-investigate the case.

DO NOT expend time looking for error/fault in prior decisions. LOOK FOR SOLUTIONS to move the case forward.



Writing the Recommendation

Be legible/type

Clearly document the findings/rationale for the recommendations

Clearly correlate the recommendations and the findings/rationale for the recommendations

Be accurate

Be professional (watch spelling and punctuation)

Be ADVISORY AND DO NOT DICTATE



Where we are

- 325 State and Local PARB Volunteers
- 10,139 Volunteer Hours Reported in CY 2018
- 6,599 Case reviews completed in CY 2018
- 7,782 Children Involved in reviews in CY 2018
- 24 Districts Served
- 47 active Boards
- Champions and dedicated experienced people

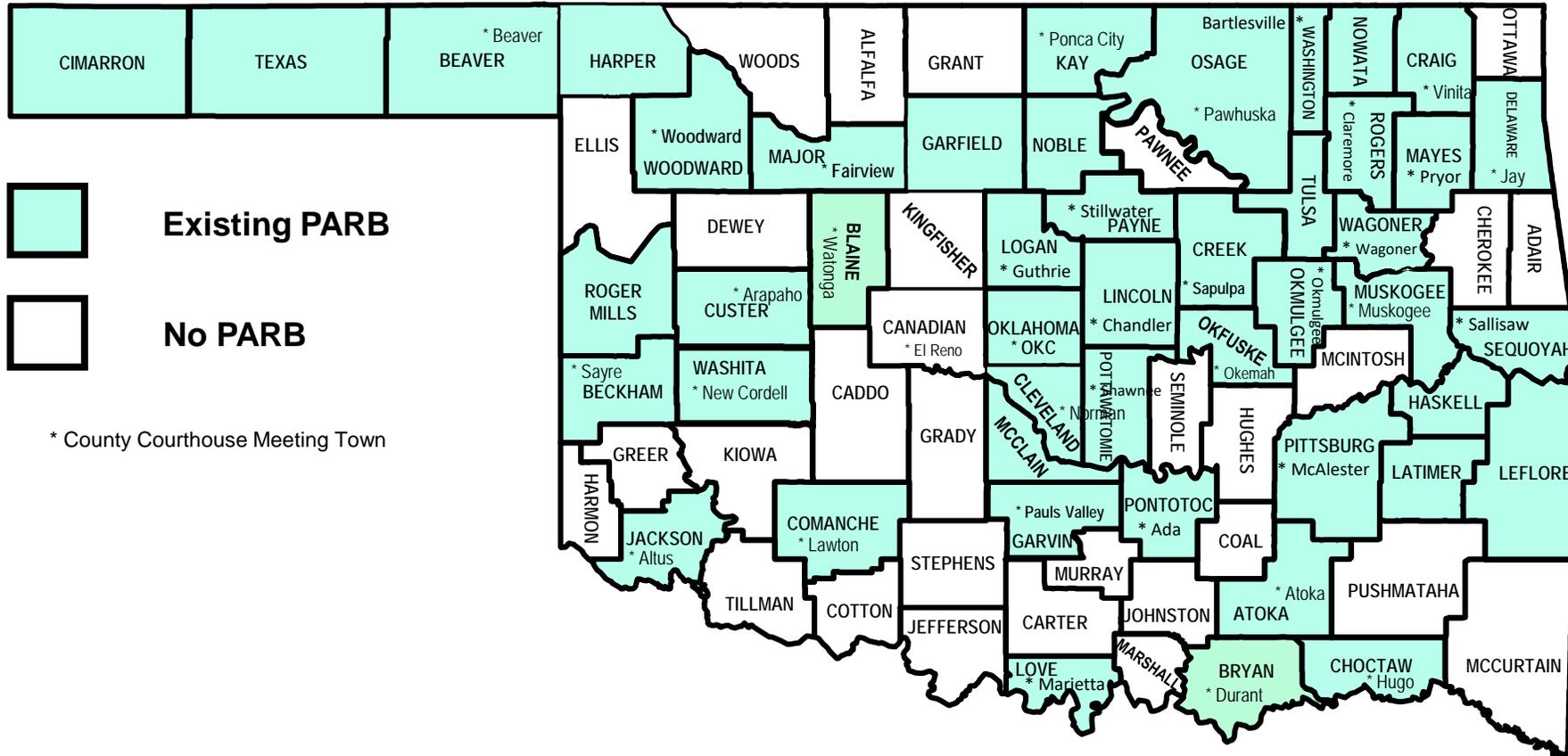




Oklahoma Commission on Children and Youth

Oklahoma Post Adjudication Review Boards

Active Board / 9-9-19



State Post Adjudication Advisory Board

- Nineteen members appointed by the Governor, plus ex-officio members from OKDHS and OJA
 - Eight local PARB members
 - Five Judges
 - Five representing the general public
 - One foster parent representing foster parents with a current contract with the OKDHS
 - One foster parent representing child-placing agencies which have current contracts with the OKDHS to provide foster care services
 - One foster parent nominated by any local or statewide foster parent association



State Level PARB

- You have a State Staff that can help you with
 - Training
 - Technical Assistance
 - Forms
 - Judicial Relationships
 - DHS Relationships
 - Being the bad guy or gal
 - Asking for your paperwork



What is PARB?

- A group of local, trained and supported volunteers with broad Legislative Authority that meet regularly to monitor active deprived docket cases and make recommendations to the presiding Judge. These recommendations are made to insure the safety of the child, encourage best practices and promote permanency while the child is in state custody.



Purpose

- Assure that children do not linger in foster care but receive the support and benefits of a permanent home
- Emphasize prevention services and permanent placement
- Provide oversight and support of Child Welfare, Judges and foster parents
- Have more eyes on the case
- To be a community resource



The Review Process

- Current deprived cases are identified and case files pulled
- Child Welfare reports on cases either in person, on the phone or by submitting a report or both
- The case Information is reviewed
- A recommendation is made and the form is filled out
- Submit the form into the case file





History

- 1981, Oklahoma legislation created independent, citizen-led foster care review programs to be in operation in every judicial district. The program became known as the Foster Care Review Boards.
- 1983, Oklahoma Legislation created a state level advisory board comprised of 21 members appointed by the governor to assist in administering the review program.
- 1990's, the program was renamed the Post Adjudication Review Boards and moved under the supervision of the Oklahoma Commission on Children and Youth (OCCY).



The Statutes

- Title 10: Section 1116.2
- Title 10: Section 1116.3
- Title 10: Section 1116.4
- Title 10A: Article 1: Chapter 6: Section 1-6-103
- Title 10A: Article 1: Chapter 9: Section 1-9-118

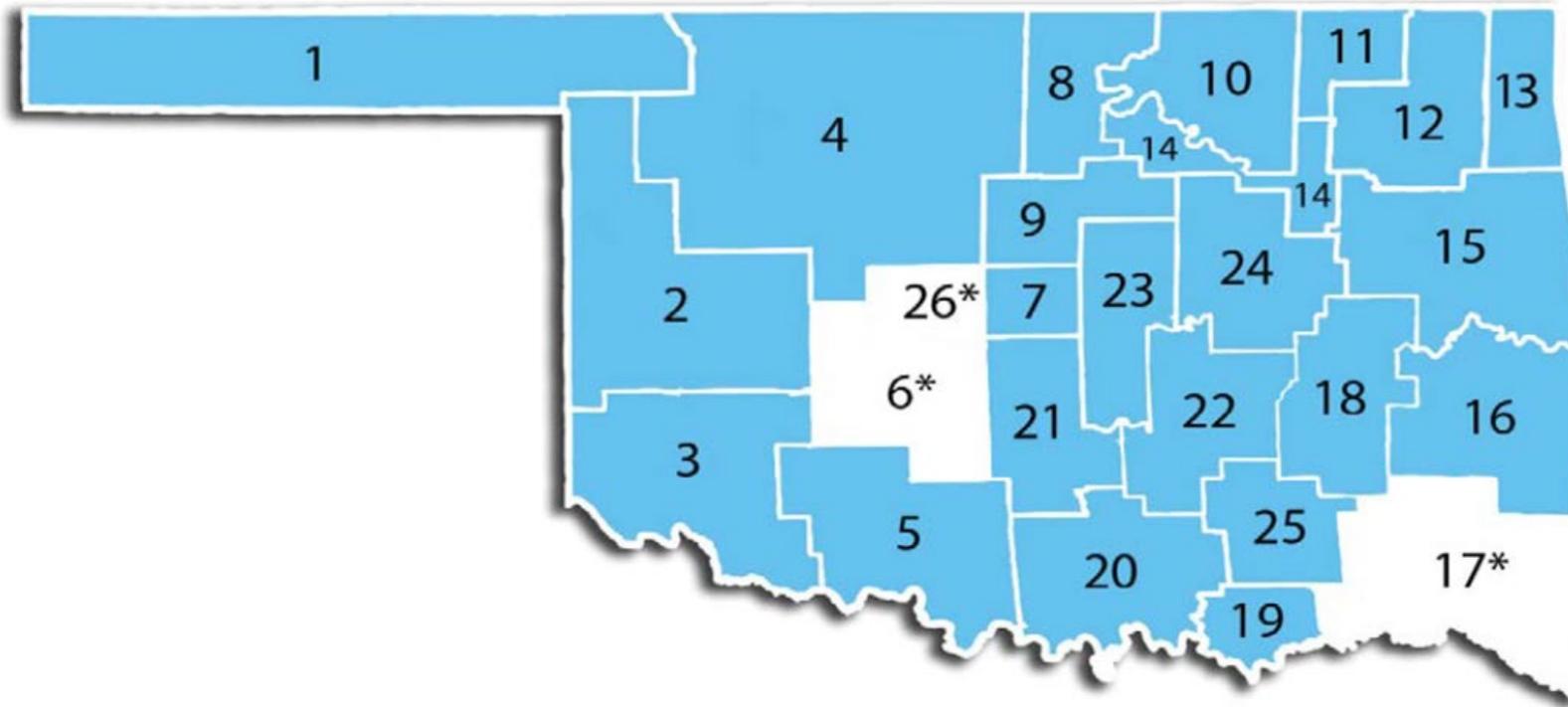


Establishing PARB

- There is hereby established a post adjudication review board in each judicial district (26) in the state.
- The Oklahoma Commission on Children and Youth may establish additional post adjudication review boards as needed for each county within a judicial district.



47 PARBs serve 24 Judicial Districts



PARBs Legislative Authority

- May review juvenile court records and Department of Human Services agency records pertaining to a child.
- PARB Boards may conduct interviews or invite to PARB meetings anyone associated with a case they are reviewing. DHS, law enforcement, tribal representatives, CASA, District Attorneys, child's attorney, parents attorney, foster parents



Board Authority Beyond Case Reviews

- Promote and encourage all child placement agencies to maximize family stability and continuity for a child by discouraging unnecessary changes
- Review the efforts of agencies and institutions to find permanent placement for eligible children and report to the court
- Encourage a meeting between the various responsible public and private agencies
- Assess community resources



PARB Members

- Boards are comprised of at least five members
- Members are appointed for a term of three years and must complete a reappointment application
- Members are appointed with the following guidelines:
 - One member who has child welfare experience or an interest in children through volunteer or professional activities
 - When possible, one member who has served as a foster parent
 - No more than one person employed by a child placing agency or juvenile court can serve on a board



Post Adjudication Review Board Members Continued

- Each PARB is to annually elect a chairperson and shall notify OCCY
- A list of each Board member shall be filed with the District Judge and the judge within the district with juvenile docket responsibilities



Who are you supposed to review by statute?

1. PARB must review the case of every adjudicated deprived child at least every six months.
2. Review the case of every child alleged to be deprived and held in an out-of-home placement six (6) months after removal and every six (6) months thereafter until adjudication occurs or the child is released from out-of-home placement.
3. Review the case of every child adjudicated deprived pursuant to the laws of another state or territory, when the child is currently residing in Oklahoma and the Department of Human Services has been notified of the change of residence by the other state or territory and has agreed to provide services to the child pursuant to the Interstate Compact on the Placement of Children (ICPC) or other agreement concerning the child.



What are the statutory requirements?

4. Reviews of cases and reports to the court shall be scheduled to ensure that the court receives the findings and recommendations of the review board prior to each regularly scheduled six-month review of the case by the court;

5. If approved by the court, review the case of any juvenile adjudicated delinquent or in need of supervision.



What are we looking for and why?



The Case Review: What do our Statutes say?

1. The appropriateness of the goals and objectives of the treatment and service plan.
2. The appropriateness of the goals and objectives of the permanency plan and permanency planning.
3. The appropriateness of the services provided to the child, and to the parent, stepparent, or other adult living in the home of the child, or legal guardian, or custodian.
4. Such review shall include, but not be limited to, consideration and evaluation of: a. whether the continued out-of-home placement is in the best interests of the child in light of the child's need for permanency and recognizing that permanency is in the best interests of the child.



The Case Review: What do our Statutes say?

5. The appropriateness of the continued out-of-home placement, and in the absence of a court-ordered treatment and service plan, the appropriateness of the services provided to the child and any family members or other adult living in the home of the child.
6. Promote and encourage all child placement agencies to maximize family stability and continuity for a child by discouraging unnecessary changes in placement and by recruiting persons to provide placement who may be suitable and willing to adopt.
7. Review the efforts of agencies and institutions to find permanent placement for eligible children and report to the court.



Goals of the Recommendations

1. Shorten the time to permanence through providing new resources and observations for the Court to consider
2. Highlight timeline issues for the Court to review
3. Identify and bring resources to the table the Court may have not known about
4. Provide insight into the case that the Court may not know about.



Goals of the Recommendations

5. Validate the efforts of DHS
6. Validate the efforts of the Court
7. Hold DHS accountable for their decisions and efforts in deprived cases
8. Hold the Court accountable for their decisions and efforts in deprived cases
9. Other goals?



General Advice for Reviews

1. Look at the Deprived Petition submitted by the DA to understand the conditions that led to removal from the home.
2. Look at the ISP. Is it doable? Does it address the deprived conditions?
3. Does the ISP also state what the kids need or should be doing?
4. Look at the visitation plan. Is it frequent, with siblings, with other caring adults in the kids life, FaceTime, phone calls and regular contact. Visitation for younger kids should be all the time.



General Advice for Reviews

5. Kinship placement. Is every effort being made to put that kid with someone they know and love and that loves them?
6. Look and see if it is an ICWA Case
7. Is disposition (placement) looked at every time.
8. Incarceration of a parent is not in and of itself sufficient to deprive a parent of parental rights
9. Transition age youth. Has lots of implications



Writing Recommendations

- Be Brief
- Be Accurate
- Be Professional
- Be “Advisory”
- Do Not Dictate
- Avoid asking questions



Findings and Recommendations

- Copies of the findings and recommendations must be submitted to the:
 - Court
 - Attorney representing the parents
 - Attorney representing the child
 - Assistant District Attorney
 - OKDHS and any other party as determined by the court



Acting In Good Faith

- There is rebuttable presumption that a person participating in a judicial proceeding as a PARB member is acting in good faith and shall be immune from any civil liability that might otherwise be incurred or imposed
- Each Board shall meet a minimum of twice a year



Open Meetings Act

- Yearly meeting schedule to County Clerk – Dec. 15
- Each Board must post a meeting agenda
- Each Board may solicit the attendance of persons known to the board with information concerning the case of any child subject to its review
- All case discussions are to occur in executive session
- Prospective members or other PARB members may observe but not participate in meetings
- Meetings require a quorum (1/2 plus 1)



Confidentiality and Conflict of Interest

- Names shall not be published on the agenda
- Cases are only to be discussed with board members or those who are party to the case
- Any member who has a professional or personal connection (worker, therapist, teacher, etc.) to a case is not to be a part of developing the Board's recommendations



Training

- All new members **must** attend the next available orientation after appointment to the PARB
- Members shall attend the annual meeting, training programs/videos, or both as authorized by the OCCY
- https://www.ok.gov/occy/Programs/Post_Adjudication_Review_Board/PARB_Training/



Member Removal

- Failure to consistently attend meetings
- Engaging in illegal conduct involving moral turpitude, fraud, deceit, or misrepresentation
- Wrongful disclosure of information
- An action taken by OCCY after consultation with the judge



State Post Adjudication Advisory Board

- Nineteen members appointed by the Governor, plus ex-officio members from OKDHS and OJA
 - Eight local PARB members
 - Five Judges
 - Five representing the general public
 - One foster parent representing foster parents with a current contract with the OKDHS
 - One foster parent representing child-placing agencies which have current contracts with the OKDHS to provide foster care services
 - One foster parent nominated by any local or statewide foster parent association



For More Information

- https://www.ok.gov/occy/Programs/Post_Adjudication_Review_Board

Keith Pirtle, MSW

PARB Program Manager
Oklahoma Commission on Children and Youth

(405) 606-4922 desk

(405) 885-5806 Cell

Keith.Pirtle@occy.ok.gov

Christina Whatley

Administrative Programs Officer
PARB

Oklahoma Commission on Children and Youth

(405) 606-4910

Christina.Whatley@occy.ok.gov

Kim Rebsamen

Tulsa County PARB
Coordinator

918-289-3948

tulsaparb@gmail.com

